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Vanuatu

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Introduction

1. The Government of the Republic of Vanuatu is pleased to have engaged with the UPR process in both its first and second cycles. In total the Government has had 259 recommendations made to it by Member States. Following our second cycle, the Ministry of Justice as the lead ministry for human rights in Vanuatu worked with Vanuatu's Human Rights Committee to develop and design the UPR National Implementation Plan (2014-2018), the first country in the Pacific to do so¹. The Plan identified and highlighted the implementation strategy of each of the recommendations. In taking ownership of the UPR process, the recommendations were divided into thematic areas for incorporation into existing national development priorities such as the Vanuatu Government's Priority Action Agenda (PAA) and the Planning Long, Acting Short Strategic Framework (PLAS) as well as various ministry annual and corporate plans as it relates to human rights around poverty reduction, education, social protection, health and with the MDGs and its successor the SGDs among others.
2. Further the Government's National Sustainable Development Plan 2016-2030 or the People's Plan and its monitoring and evaluation framework provide the Government's commitments towards realizing basic human rights in the form of sustainable development goals and priorities.²
3. Of the 109 recommendations that Vanuatu received in the second cycle, 95 were accepted and adopted by Vanuatu's Council of Ministers. These recommendations are the subject of this report.

I. Methodology and process for preparing the report

A. Methodology for preparing the report

4. In the process of producing the report, the National Human Rights Committee (NHRC) used the UPR Implementation Matrix to ensure all recommendations were captured under thematic areas which were then sent to all relevant stakeholders to provide the relevant data and information on these thematic areas.

B. Process for preparing the report

5. The NHRC Committee delegated to two Sub-Committees, namely the Data Collection Sub-Committee and the Drafting Committee, to complete this report. The Data Collection Committee was responsible for data, information collection, and the verification of information. The Drafting Committee collated the draft received, compiled comments and finalized the report. Consultations were held on the contents of the report in Santo and Port Vila to get the views of Government's stakeholders and NGOs on the report. A final consultation funded by SPC RRRT with key stakeholders both from Government and civil society took place in Port Vila before this report was finalized and submitted to the UPR Secretariat.

II. Developments since the previous review, background of the State under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights, infrastructure including national human rights institution and scope of international obligations identified in the “basis of review” in resolution 5/1

A. National laws and legislations

6. Vanuatu's 1980 Constitution provides the legal framework for governance and the rule of law. Its comprehensive Bill of Rights provisions promotes and protects various fundamental rights and duties of all individuals in Vanuatu. The Constitution also guarantees the enforcement of fundamental rights by providing legal recourse to the Supreme Court in the event of an infringement of a protected right.³ The Supreme Court may make orders, issue writs and give directions, including the payment of compensation, as it considers appropriate to enforce the right being infringed.

7. Further, there are a variety of legislations that provide for and elaborate the protections of rights including laws on education, health, movement, justice etc. Between the periods of 2014-2018, the Government enacted various laws including the ones below pertinent to the protection of various human rights:

- Right to Information Act No 13 of 2016 gives effect to the right to freedom of expression.
- Public Health (Amendment) Act No. 11 of 2018 providing for sanitation standards.
- Education Act No. 9 of 2014 provides for the representation of women in the national Education Advisory Council and the elimination of educational disadvantages arising from the gender or ethnicity of a child.
- Penal Code (Amendment) Act No. 15 of 2016 increasing sentencing penalties for the offense of abduction and incest with a victim of 16 years and under.
- Custom Land Management Act No. 33 of 2013 which commenced in 2014 enables women to participate in decision making processes in cultural settings (*nakamal*).
- Penal Code (Amendment) Act No 15 of 2016 establishes the offence of abduction of person under 18 years of age.
- Water Resources Management (Amendment) Act No 32 of 2016 provides for responsibilities of water resources, customary rights and rights of occupiers to water resources.
- Water Supply (Amendment) Act No 31 2016 provides for the national drinking water quality standards and drinking water safety plans.

B. National measures and policies

1. Women's rights and equality

8. The Department of Women's Affairs (DWA) has formulated the key gender policies, having given due consideration to the CEDAW and the CRPD. These include the Vanuatu National Gender Equality Policy 2015-2019; National Disability Inclusive Development Policy 2018-2025; Vanuatu Child Online Protection National Strategy Framework for the Republic of Vanuatu 2014 –2021; Vanuatu National Child Protection Policy 2016-2026; Strategy for the Justice and Community Services Sector 2018-2021.

2. Education

9. The Ministry of Education has formulated the following policies with a view to promoting and implementing the Convention on the Rights of the Child (CRC). These policies govern child protection, rights to education and related issues such as the Child Safeguarding Policy 2017; Revised Gender Equity in Education Policy 2018; Sweet Drink Policy 2014; Revised ECCE Policy 2017; Education Authority and School Registration Policy 2017; Information Management in the Education Sector Policy Statement 2014; Interim Vanuatu Education Sector Strategy 2017-2018; Open VEMIS Policy 2017; WASH in Schools – Call to Action 2016; Draft Education and Training Sector Analysis 2019-2030; Post-Secondary and Tertiary Education Policy.

3. Health

10. The Ministry of Health has developed the following key health policies and frameworks to complement right to health under CEDAW, CRC and CRPD. These include; Health Sector Strategy (HSS) 2017-2020; Vanuatu National Nutrition Policy & Strategic Plan 2016-2020; Vanuatu Non-Communicable Disease Policy and Strategic Plan 2016-2020; Tobacco Control Act of 2008 as amended in the Statute Law (Miscellaneous Provisions Act) Act No. 6 of 2016; National Strategic Plan of HIV and STI 2017-2021; National Policy and Strategy for Healthy Islands 2018-2020; Healthy Vanuatu School Food Guidelines/*Gudfala Kaka* Policy 2017-2030; Vanuatu Reproductive, Maternal, New Born, Child and Adolescent Health Policy and Implementation Strategy 2017-2020; Draft Digital Health Strategy Information for Action 2019-2021; A Comprehensive Violence against Women, Children, Vulnerable and Marginalized groups Training Manual for Health Care Professionals and Participants Guide 2017.

4. Corrections

11. Use of Force Policy; Rehabilitation Policy 2017; Medical Policy and Correctional Services (Temporary Removal) Regulation Order No. 197 of 2017.

5. Climate Change

12. The National Policy on Climate Change and Disaster Risk Reduction 2016 – 2030, provides the framework to ensuring that our communities, environment and economy are resilient to the impacts of climate change and disaster risks. The policy ensures that risks are identified, assessed, reduced and managed. It was formulated following a risk governance assessment to analyze Vanuatu's climate change and disaster risk governance capacity and needs at both national and local levels. The policy will apply six principles: 1) accountability, 2) sustainability, 3) equity, 4) community focus, 5) collaboration, and 6) innovation. It aims to be accessible to and implemented by all Government agencies and non-Governmental stakeholders. The policy takes a practical approach, taking into consideration Vanuatu's resources, exposure to risks, and demographic situation. It seeks to strengthen existing capacity at national, provincial and area council levels, drawing on the country's rich heritage, traditional knowledge and the lessons learned from the broad range of initiatives regarding climate change and disaster risk reduction. The Government of Vanuatu is committed to six key priorities to direct the country's climate change and disaster risk reduction efforts which is identified in the *Vanuatu Climate Change and Disaster Risk Reduction Policy 2016-2030*.

13. Further in 2012, Vanuatu established a National Advisory Board on Climate Change and Disaster Risk Reduction. Moreover, the Vanuatu 2030, the People's Plan, addresses Climate change policies under the Environment Pillar 2, *Environment encouraging Blue-Green Economic Growth* for an economy which fosters sustainable growth and development through low impact industries and modern technologies to ensure the well-being of future generations. Government also has a National Displacement Policy 2018.

C. Official authorities and Government organization concerned with human rights

14. The role of protecting and promoting human rights is a whole of Government approach with key ministries and institutions tasked with overseeing the implementation of human rights including State Law Office; Prime Minister's Office; Ministry of Foreign Affairs; Department of Correctional Services; Department of Women's Affairs; Ministry of Education; Department of Public Health; Ministry of Lands & Natural Resources; Ministry of Climate Change, Vanuatu Police Force; Ministry of Justice and Community Service; Judiciary; Public Prosecutors Office; Ministry of Infrastructure and Public Utilities; Ministry of Internal Affairs, Ombudsman's Office.

III. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the "basis of review", national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms

15. The Vanuatu Government considers the promotion and protection of human rights as an important aspect of its governance. It recognizes the value of the human rights of people in Vanuatu and has designed frameworks, policies and laws that enshrine the protection and promotion of fundamental human rights.

16. The implementation of its international human rights obligations has been carried out by relevant agencies and stakeholders. The enactment of the Right to Information Act in 2017 is its most recent development in the area of realizing fundamental rights, in particular the right to information.

IV. Action taken regarding recommendations arising from the last UPR

Treaty and Optional Protocol Ratification: Recommendations 3–13 and 2 and 5 and 15

17. Vanuatu is a State party to the ICCPR, CEDAW, CRC, CAT, UNCAC and CRPD and notes the recommendations calling for the ratification of ICESCR, ICERD and CPED. While Vanuatu will consider the ratification of the three-core treaty, various rights within the said treaties are protected in Vanuatu's Constitution as well as several legislative frameworks. Vanuatu's Human Rights Committee is mandated to provide advice to the Government on the ratification of core human rights treaties. The challenges of resources and capacities hinder our obligations as a State party to the treaties. Vanuatu's Human Rights Committee is currently prioritizing the drafting of the State's initial reports to CAT and ICCPR.

18. Further, in August 2018, Vanuatu officials completed a human rights workshop with OHCHR Pacific Office and is committed to becoming a signatory to the Convention on Economic, Social and Cultural Rights (ICESCR). The Government through the Ministry of Justice & Community Services and the National Human Right Committee priority deliverance for 2018–2019 is for the completion of the consultation on ICESCR rights and the treaty itself.

19. Additionally, the Government will consider the ratification of the Optional Protocols pursuant to recommendations 2, 5 and 14 following a careful consideration of the same and upon proper advice and guidance by Vanuatu's Human Rights Committee to the Government.

Rome Statute: Recommendation 16

20. The current provision of the Extradition Act complies with the requirements of the Rome Statute in relation to extradition of offenders. The Penal Code Act provides for international jurisdiction over offenders who may be citizens of Vanuatu.

National human rights mechanisms: Recommendations 17–20

21. Through its National Human Rights Committee, the Government is in the process of considering scoping a study on the feasibility and durability of establishing a national human rights mechanism. The Government will liaise with key regional organizations including the Pacific Community (SPC), OHCHR and the MSG for which it is a member for the conduct of a scoping study.

Office of the Ombudsman: Recommendation 21

22. The Government has strengthened the Office of the Ombudsman through funding increase. Further drafting instructions have been prepared for the amendment of the Ombudsman Act. The Government has also made considerable efforts in enforcing the Leadership Code Act (LCA) through greater awareness including talk-back shows on national television and radio as well as presentation to municipal councils on the LCA with the aim of encouraging reporting of breaches of the Act and other maladministrations by public officials and leaders. In 2016, 14 Members of Parliament were imprisoned for corrupt practices under the Penal Code Act. They were also disqualified from assuming any leadership position for ten years under the Leadership Code Act.⁴ The investigations into these cases involved the Office of Ombudsman as well as the Police.

Women's rights: Recommendations 22, 32–33

23. The Government met its commitment to the protection of women's rights under the two recommendations and in particular has increased resources, staffing capacity including the appointment of provincial officers and increasing the operational budget to the Department of Women's Affairs (DOWA). In 2018, the Prime Minister opened the newly renovated and improved DOWA office. Further the 2018 Business Plan for the DOWA is operational and is linked to the Ministry of Justice's Sector Strategy 2018-2021 and the overarching NSDP 2016-2030. Within the DOWA and the Ministry of Justice's Sector Strategy, the Government has identified and resourced priority areas to address including reducing domestic and gender-based violence, promoting women's leadership and equal participation; building a foundation for gender mainstreaming; enhancing women's economic development and promoting women's leadership and equal participation.

24. Additionally, the work of advancing women's rights remains a priority for Government and our many achievements include the ongoing implementation of the National Gender Equality Policy (2015-2019) (NGEP); the Annual 16 days of Activism campaign which has been ongoing since 2010 with strategic partnership with key national and international NGOs, UN Women and funding support from Vanuatu Law and Justice Program and World Vision Vanuatu. Furthermore, DOWA in partnership with civil society at large has enabled trainings of island council of chiefs on sexual and gender-based violence among others.

25. In a cabinet decision of 2017, the Government endorsed through the Council of Ministers a Gender Responsive Budget (GRB). It further endorsed that gender and women's empowerment be mainstreamed in each ministry. Further the NGEP identifies reducing domestic and gender-based violence; enhancing women's economic empowerment; promoting women's leadership and equal political participation and building a foundation for gender mainstreaming as its four strategic priorities. Moreover, a National Human Resource Plan now makes the recruitment of women in the public sector a priority.

26. In terms of strengthening women's political participation, the Municipalities Amendment Act No. 5 of 2015 established a quota system for women vying for seats in local government elections which have now seen six women in the Port Vila Municipal Council and five women in the Luganville Municipal Council. In 2016, a female officer was promoted to the position of Inspector. This is the first for Vanuatu and we have had a few senior female police officers who have been deployed as part of the UN peace-keeping. Moreover, there has been a 100% access for female police officers on police operational duties since 2014–2018 and each year since 2014, two police officers attend a gender equality training run in partnership with Fiji Women's Crisis Center. Moreover, the Market for Change initiative was brought about by a joint cooperation between the Government, the Municipal Councils and the UN Women. The main objective for the Market for Change is for the economic empowerment for women who sell food products at our local markets.

Human rights education and awareness: Recommendations 23–25

27. Incorporating human rights in the education system and the curriculum in particular has been an ongoing commitment of the Government and this has gone through various implementation stages such as awareness raising, development of curriculum materials and professional development. The NSDP provides Government's commitment to an 'inclusive, equitable and quality education system with life-long learning for all' as a policy guide. Some of these initiatives include implementing key policies and programs like the Gender Equity in Education Policy; Early Childhood Care and Education program with 803 ECCE centers established in the rural areas and 47 in urban areas; Education in Disaster Risk Reduction Program implemented in four provinces with ongoing training carried out; Inclusive Education Policy awareness and coordination throughout the six provinces of Vanuatu. Training of teachers on specialized teaching methodologies at the Vanuatu Institute of Teachers Education and education support teacher training at APTC in supporting the implementation of inclusive education. Inclusive practices in three case study schools and established model schools are replicated to schools throughout the country through the Vanuatu Education Support Program (VESP). The Government has also taken the initiative to provide for scholarship for persons with disabilities.

28. Further the Ministry of Education has added a new curriculum focusing on ratification of international human rights treaties, gender equity, inclusive education, climate change, disaster risk reduction, water and sanitation, understanding the working of the judiciary, child rights, family life education, health and physical education etc. Further progress in this area include curriculum development and capacity building. Moreover, there is ongoing professional development of staff at the central and provincial levels on gender and child protection. Within the Ministry of Education and provincial education offices, staff are informed of their roles and responsibilities in responding to human rights issues in education. The Government through the Ministry of Education has improved learning access in partnership with the churches.

Human rights mainstreaming/training for Government to officials: Recommendations 26–28; 62

29. The Government continues to invest in human rights and anti-corruption training for its officials including partnerships with UNOHCHR, SPC RRRT, UN-PRAC and the MSG. Training for police and correction officers, teachers, right to information officers and health workers on human rights have also been carried out including attendance of lawyers, judges, magistrates, statisticians, gender focal persons, MPs in various human rights training and thematic areas including human rights treaties; human rights reporting; UPR; implementation of treaties etc. In 2018, the Ministry of Justice coordinated training for key Government officials for the purposes of putting together a national action plan on human rights. The Government envisages further training on human rights for its officials through its partnerships with key international and regional institutions. Further, the Government is committed to mainstreaming principles of human rights, including equality; justice; fairness and dignity within policies and frameworks.

30. Furthermore, the Ministry of Health (MOH) has endorsed a Gender Based Violence Training Guidelines and Comprehensive Participants Guidebook for Health Workers. In partnership with Vanuatu Women's Center, the MOH is carrying out training for health workers in Vanuatu. Moreover, the MOH has established a gender-desk officer within the ministry. Additionally, the Police training program also includes sexual and gender-based violence and key issues around victims and suspects rights. Trainings on CAT and the UN minimum standards on places of detention have been provided by OHCHR, SPC RRRT and the ICRC.

UPR and parliament: Recommendation 29

31. The Government recognizes the important role of parliament in the UPR process and has facilitated a number of activities in line with this recommendation. Further the Ministry of Justice published the Government's UPR Recommendation Action Plan in 2014 with the support from OHCHR. Further, Members of Parliament including the Speaker are part of regional discussions and consultations on the UPR and the implementation of recommendations.

Reporting of human rights treaties – Recommendation 30

32. Following a report writing and capacity building training by OHCHR, the National Human Rights Committee (NHRC), is in the process of drafting and finalizing its initial report to the ICCPR and CAT.

Discrimination against women: Recommendations 34–36

33. Article 5 of the Constitution prohibits discrimination on the grounds of sex. This prohibition is practiced throughout the civil service and the Government continues its efforts in eliminating discrimination against women both de jure and de facto. These active and progressive steps include ensuring that equality and women's empowerment is reflected in the National Development Plan. Its vision highlights "A Just, Educated, Healthy and Wealthy Vanuatu". The Government's foremost national policy will drive our development priorities till 2030. Further the Council of Minister approved the implementation of the National Gender Equality Policy (NGEP) 2015-2019. The NGEP ensures that gender equality is implemented across all sectors and at all level of society.

34. Moreover, the amendment made to the Citizenship Act [CAP 112] by the Citizenship (Amendment) Act No. 39 of 2013, now recognizes gender equality in the citizenship eligibility. Additionally, amendments to the Penal Code (Amendment) Act No 15 of 2016 has resulted in the increase of penalties for all sexual offences. This was the result of a consultation of multi-stakeholders, including the Public Prosecutor's office, Family Protection Unit of the Vanuatu Police Force, the Vanuatu Women's Centre and the Vanuatu Correctional Services Department. The decision was taken as a result of judicial recommendations in the case of the *Public Prosecutor v AR [2015] VISC 31* which noted the low sentencing options for sexual offences.

Death penalty: Recommendation 37

35. The Government has not taken any other action on the re-introduction of the death penalty and does not intend to visit this issue.

Family Protection Act: Recommendations 38–42

36. The Government continue its efforts in addressing violence against women in both the Family Protection Act (FPA) and the Penal Code Act. To strengthen the implementation of the FPA in 2017, the Government has appointed registered counsellors and authorized

persons. Further, ongoing awareness on sexual and gender-based violence continue through various initiatives such as the 16 Days of Activism as well as the development of comprehensive guidelines for responding to violence against women, children and marginalized groups in Vanuatu. Training of trainers and training for health-care service providers in the provinces on gender-based violence also continue.

37. The Department of Women Affairs conducts its annual awareness campaign on the Family Protection Act during the 16 Days of Activism. Activities include visits to communities for awareness on the Act as well as to conduct training for APs and RCs. In 2017, 1000 posters were printed, 19,000 stickers and 400 shirts were distributed throughout the campaign raising awareness and visibility on combating harmful cultural practices. Further training on handling of cases of domestic violence and human rights for police officers are also conducted. More than fifty percent of police officers have attended human rights training in Port Vila and Santo. These training by OHCHR and SPC RRRT includes training for magistrates.

38. Further Vanuatu's courts continue to issue protection orders and penalties under the FPA. In *Bong v Marangom* [2017] VUSC 190, the Supreme Court of Vanuatu held that, *the Family Protection Act 2008 came into effect on 2 March 2009 and has as its purpose the preservation and promotion of harmonious family relationships and the prevention of domestic violence in all levels of society in Vanuatu. The Act is based on traditional values of Vanuatu and on Christian principles which recognizes that domestic violence of any kind is unacceptable behavior. The Act also provides effective legal protection for the victims of domestic violence and punishment for all persons who commits such acts.*

39. The Family Protection Act provides protective measures and a legal framework for all women including those in the rural areas. In partnership with women NGOs, women in rural areas have access to the Vanuatu Women Centre CAVAW's around Vanuatu. There are also Authorised Persons (AP's) and Registered Councilors (RC's) appointed in rural areas to provide support and access to protection from domestic violence. Women with disabilities also have access to protection orders, counseling services, education and awareness and access to the referral system.

Violence against Women (VAW)/SGBV/Inequality: Recommendations 49–53; 61

40. The Government continues to address inequality and has adopted various measures as described in paragraphs 22–25; 32–33 and 36 respectively.

41. In 2017, the Government amended the Penal Code Act following a 2016 Council of Ministers decision to increase penalties for sex related and assault offences. The Penal Code (Amendment) Act No. 15 of 2016 increases the sentencing for the crime of abduction and incest with the victim of 16 years and under among others. Further for abduction, an increase to seven (7) years and increased penalty for crime of incest from 15 years to life-imprisonment.

Violence against Children (VAC): Recommendations 54–55

42. Addressing VAC remains a priority commitment of the Government through the adoption of the National Child Protection Policy 2016-2026.⁵ The policy was developed following comprehensive stakeholder consultations across Government ministries and departments, civil society and INGOs including women's groups, the Malvatumauri Council of Chiefs, the Cultural Centre, national child protection working group and provincial administrations. Fight strategic areas to be implemented in the policy include; strengthening knowledge and understanding of child protection in the general population; development and/or strengthening of organisation structures at national, provincial and community levels that are required to provide oversight and ensure accountability for the overall implementation of this policy; coordinated, collaborative, holistic and multi-disciplinary interventions by formal and non-formal (*Kastom*, religious, community-based) bodies, to ensure a continuum of care for vulnerable children; development/strengthening

of Government standards and guidelines for child protection/working with children; strengthening of the legal framework for child protection; strengthening capacity of Government stakeholders and service providers involved in the protection of children and disaster risk reduction/preparedness and emergency responses that are sensitive to the very high risk of abuse, exploitation, and injury faced by children during disaster.

43. Further the Child Protection Desk and a National Child Protection Working Group support the Government's commitment in addressing child protection issues. The Ministry of Justice in partnership with UNICEF is currently developing two draft pieces of legislations, the Child Protection Bill and the Adoption Bill. The Adoption Bill is aligned to the Hague Convention on Inter- Country Adoption which Vanuatu intends to sign upon the passing of this Bill.

44. Additionally, Vanuatu's courts continue to issue harsh sentences as a deterrent for violent acts against children. In *Public Prosecutor v Jerry* [2011] VUSC 51, the Chief Justice in issuing a sentence said that "*sexual offences against children are serious offences and any offender who sexually abuse children must go to prison. A prison sentence is necessary for many reasons. First is to mark the gravity of the offence. Second is to emphasize that the public disapprove of such kind of offending in the society. Third is to save as warning to other members of the community who will attempt to commit same offending on children in the future. Fourth is to punish the Defendant for such a serious offending. Fifth is to protect weak and vulnerable members of the community and in particular children. [PP v. Scott & Tula (2002) VUCA 29]. In PP v. Gideon[2002] VUCA 2, the Court places emphasis on the protection of the children in this way.*"

45. A Criminal and Civil Evidence Bill is currently being developed by a committee appointed by the Chief Justice to ensure that the rights of children in criminal proceedings are protected. Further it gives the Public Prosecutor a range of legal options for applications that can be made by the Prosecutors.

Judiciary: Recommendations 56–57; 60

46. The Government has strengthened its commitment to ensuring the independence of the judiciary by increasing resources to the courts as well as working with the Ministry of Justice to address issues and challenges. The Judiciary has also taken responsive measures to address crucial issues such as increasing the number of judges and magistrates at the courts. Further it has implemented an automated case management system that tracks the life of cases from registration to completion. The courts have developed indicators to capture data for the purposes of addressing challenges. These include good data control system, cases process and record updating, scheduling system and management reporting system. 99% of appeal cases filed are disposed of at each session of appeal. Further the Judiciary has secured budget to address land backlog cases in 2019.

47. Furthermore, in reference to recommendation 60, the principle of equality is entrenched in Vanuatu's Constitution and various legal frameworks and is implemented both in de-jure and de-facto. Additionally, there has been both an increase in the budget and resources (capital and human) for the Office of the Public Solicitor and the Public Prosecutor.

Convention against torture: Recommendation 59

48. While torture is prohibited in Vanuatu under the Constitution and almost no cases of torture recorded from the police or corrections office, the Government will consider revisiting its laws to ensure that legislations are adequate to criminalise torture. However, there have been several trainings for both the police and the corrections department on CAT. Further the Corrections Department has developed a Use of Force Policy that is in alignment with human rights standards and reviewed its operational manuals and Standard Operational Procedures (SOP) to comply with the United Nations Minimum Standards on places of detention.

Rights of detainees: Recommendations 63

49. The Ministry of Justice and Community Service have completed a major reform on the comprehensive amendment to the Corrections Act. The amendment was to address the gaps and allow for consistency and alignment of the Act to the CAT and the CRPD. These amendments strengthen the administrative functions of the Corrections Department and provide certainty to the rights of detainees. Further the amendment includes clarifying the rights and privileges of detainees including the removal of discriminatory provisions as it relates to persons with disabilities. Moreover in 2018, Vanuatu received two external inspection teams from OHCHR and ICRC to complete inspections of the Correctional Centers and interview detainees both in Vila and Santo. A space has been reserved at the new correctional center in Santo to build a juvenile facility.

Juvenile justice: Recommendations 64–69

50. While there is currently no juvenile legislation, the Courts have taken into consideration juvenile justice in requiring pre-sentence reports from the Probation Unit of the Corrections Department. This report guides the court or the judge in sentencing decisions. The Courts exercise judicial discretion to impose a sentence involving minors and these may include (i) community-based sentences under supervision for six months minimum to two years maximum, (ii) suspended sentence and impose supervision as well. These community-based sentences in lieu of imprisonment, are imposed to rehabilitate the juvenile offender. Victim support is one of the Ministry of Justice & Community Services initiatives that will involve the appointment of a Victim Support Officer who will oversee the support to be afforded to victims of crime.

51. A draft Juvenile Bill is currently before the Vanuatu Law Commission (VLC). Once enacted, a plan to work on specific juvenile programs and other guidelines to address juvenile offenders would be implemented. The Corrections Department will develop a juvenile rehabilitation awareness module for probation officers to use when dealing with juvenile offenders serving community sentence in 2019.

UNCAC: Recommendations 70–71

52. Government's National Anti-Corruption Strategy of Vanuatu is grounded in the *Vanuatu 2030: The People's Plan* and the SDG providing the framework for Government's commitment to eliminate corruption. The National Integrity and Anti-Corruption Strategy aims to strengthen the foundation of Vanuatu society, increase the efficiency and effectiveness of the public sector, build trust in public institutions, and help pave the way for sustainable economic development and equal opportunity for all people of Vanuatu.

53. The first review of Vanuatu's implementation of UNCAC was undertaken in 2014 (specifically in relation to articles 15 – 42 of Chapter 3, "Criminalization and law enforcement", and articles 44 – 50 of Chapter 4, "International cooperation"). Following this review, in September 2014, the Government in collaboration with UNODC and the UNDP under the UN Pacific Regional Anti-Corruption Project, held a workshop to publicize the findings of the UNCAC review process and consider how these findings can be incorporated into national anti-corruption efforts. Five priority action areas were identified, these include the establishment of a national committee or taskforce, comprising Government, civil society and private sector representatives to provide the driving force and oversight needed to ensure ongoing progress is made in a coordinated and consistent manner.

54. Vanuatu established its National Integrity and Anti-Corruption Committee 'NIAC' under Anti – Corruption Order Dated 5 November 2016 with the core function in ensuring the implementation of priority objectives identified under UNCAC commitment. The Committee is mandated to take up the leading role of Government in advocating for changes and establishment of linkage to supporting agencies, NGOs in addressing corruption in Vanuatu. The NIAC comprises of representatives from across Government

sector, civil society and the private sector to allow for a broad range of stakeholders to provide input to and oversight in the implementation of this National Integrity & Anti-corruption strategy 2018-2022.

Birth registration: Recommendation 72–73

55. Vanuatu commenced its review of the Civil Registry Act in August 2018 and the amendment will be tabled to parliament for its consideration. Further the Civil Registry has re-introduced mobile registration of births across Vanuatu. The registration process is through the Register VIZ database system which is uploaded to laptops to accommodate mobile registration. Staff have been trained on the use of this system which has been very effective in capturing information on vital registration with the support of UNICEF Vanuatu.

56. Further, the Government has endorsed the Civil Registry and Vital Statistic Policy 2017 and National Identification Policy under the Civil Registry Department, which will provide the pathway for the development of a National Identification Bill in 2019.

57. An MOU was signed between the Ministry of Internal Affairs and Ministry of Education for the installation of Register VIZ database system in all provincial Education Offices as well as training conducted which has helped to increase registration coverage for those children who were not registered at births. There has also been an increase in children having a birth certificate following the increase in registration.

Right to information: Recommendation 74–75

58. The Right to Information Act No. 13 of 2016 is now in force following the unanimous passage of the law by the Parliament on November 24, 2016. The Act gives effect to the right to freedom of expression under paragraph 5(1)(g) of the Constitution of the Republic of Vanuatu; and provides access to information held by Government agencies, relevant private entities and private entities, subject to exceptions provided under the Act. It also establishes voluntary and mandatory mechanisms to give the public the right to access to information; and promotes transparency, accountability, and national development by empowering and educating the public to understand and act upon their rights to information; and to increase public participation in governance. The Act also sets out procedures for a person to amend personal information held by a Government agency. The Act also contains a provision on the protection of whistleblowers and sets out various offenses and punishments for breaching the Act's provisions. In addition to provisions of the Act, certain mechanisms have been established to enable successful coordination and management of implementation of the Act. These are the appointment of the RTI Steering Committee, National Records and Information Management Committee, the National RTI Implementation Plan, and the National Records Management Policy.

Water and sanitation: Recommendations 76–78

59. The Government has implemented various comprehensive clean water and sanitation projects with the Ministry of Health taking a lead role in overseeing these projects. Some strategies developed and implemented include the development of WASH materials; the drafting of a Sanitation and Hygiene Policy; strengthening of the National Health Promoting School Steering Committee; review of Primary Health Care and Healthy Islands Policy with a focus on following healthy settings including healthy school; healthy clinic; healthy market and healthy village. Further the Government has disseminated the Healthy Islands Information Education Communication (IEC) package to the six provincial education offices in Vanuatu, conducted a health promotion in schools and workshops for school principals. Moreover, there are ongoing oral health school programs with regular supply of oral health kit (toothbrush, paste and soap) and de-worming and yaws programs in schools. A total of 453 Primary Schools have regularly received the oral health kits which amount to 52,856 distributed for the period 2017–2018.

60. Additionally, the Government has adopted a National Drinking Water Quality Standard; developed a draft Vanuatu National Multi-Sector WASH in School's Improvement Plan with UNICEF and WASH partners, and a Sanitation and Hygiene Policy, introduced H25 testing in Malemaat, Mele and Lelepa villages with Live and Learn (NGO) water and sanitation projects, improvement of sanitation in schools in the Penama and Sanma provinces, and the building of incinerators in hospitals in Vanuatu for safe disposal of clinical waste.

61. Moreover, the Government amended the sanitation provision of the Public Health Act (Part 8 – Sanitation) in July 2018 to address and strengthen its sanitation projects around the country.

Right to health: Recommendations 79–84

62. Access to basic health services especially in the rural areas remain a key priority of the Government. The Ministry of Health (MOH) has invested in training of medical and nursing personnel on a range of health and human rights issues. Further the MOH has endorsed key policies and framework to regulate the health sector and health services in Vanuatu as mentioned in paragraph 10 of this report. Government has also increased budgetary allocations to the MOH.

63. Additionally, in addressing HIV/AIDS and its impact on women and children and mother-child transmission, the Government has developed and endorsed the HIV/STI National Strategic Plan 2017-2021. Moreover, the MOH is in the process of finalizing the Delineation Policy which seeks to address facility and human resources capacities. With the support of Global Fund grants, the Ministry of Health has been able to implement national TB and Malaria programs.

Right to education: Recommendations 86–98

64. Vanuatu's National Sector Development Plan mandates that every child, regardless of gender, location, education needs, or circumstances must be able to access the education system. Government has expanded its outreach to ensure access to education through its school grant.

65. The Universal Primary Education Policy (UPE) provides for free education and the right to access education for Classes 1–6. Moreover, to address the issue of illiteracy, the Ministry of Education developed a language policy and revised its curriculum to include vernacular as a language of instruction for early grade. Further, in November 2017, the Global Partnership for Education Secretariat approved a grant for Vanuatu to conduct a comprehensive education sector analysis and develop an evidence-based Education and Training Sector Strategy. The education sector plan development grant aims to strengthen the knowledge required for the development of more equitable and efficient education sector plan and to build capacity for staff in the Ministry of Education and Training. The analysis will also guide the development of a new Vanuatu Education and Training Sector Strategy (VETSS) for 2019-30.

66. In alignment to its sanitation project, all primary schools throughout the country has at least one school health visit conducted by the maternal child health team or the health zone nurse.

Rights of persons with disabilities: Recommendations 99–104

67. Vanuatu's National Disability Inclusive Development Policy (NDIDP) 2018-2025⁶ compliments the Government's commitment to the CRPD and was developed following stakeholder consultations both at the national and provincial level between September 2015 and December 2017. The NDIDP provides Government's strategic interventions towards realizing the rights of persons with disabilities. The adoption of the Washington Group questions within Vanuatu's census and related surveys found that 12 per cent of the

population reported having a disability. Furthermore, other key policies to realize and protect persons with disabilities include the Inclusive Education Policy and Strategic Plan 2010-2020 mandating inclusive education from pre-school all the way to secondary education. The National Disability Inclusion Policy for TVET Sector 2016-2020 promotes disability inclusion within post-school education and training options. Further the Vanuatu Mental Health Policy and Strategic Plan specifies actions to improve mental health services and progress the rights of people with mental illness across Vanuatu.

68. Further the Government's 2030 National Sustainable Development Plan (NSDP) outlines a number of commitments and priorities that the Government will take concerning the rights of persons with disabilities which includes the fair distribution of facilities that are suitably resourced and equipped; the empowerment and support for persons with disabilities; ensuring that all persons with disabilities have access to Government services, buildings, and public spaces; ensuring that all public infrastructure, including health, education and sports facilities is safe, accessible, secure and maintained in compliance with building standards; and increasing the number of decent, productive employment opportunities, particularly for persons with disabilities.

69. The *National Disability Inclusive Development Policy (NDIDP) 2018-2025* also build on past efforts to provide a guideline for action for national and provincial Government and non-Government stakeholders across Vanuatu, as well as our development partners. Collaboration is central to this policy. Working together with the National Disability Committee, key stakeholders will share and coordinate efforts in working together towards the goals outlined in the NSDP. Numerous achievements have been made under the NDIDP including the establishment of a disability desk within the Ministry of Justice as the Government's disability focal and coordination point, the development of the Inclusive Education Policy and Strategic Plan 2010-2020 and the National Disability Inclusion Policy for the Technical and Vocational Education and Training (TVET) Sector 2016 – 2020. Vanuatu's NSDP formalises a national commitment to disability inclusion and rights through multiple disability inclusive objectives and indicators. Further through equitable partnership by the Government with civil society across Vanuatu, there are increasing active support for disability inclusive development. The Vanuatu Civil Society Disability Network (VCSDN) regularly convenes disability-focused and mainstream civil society organisations across Vanuatu to review and progress advocacy and implementation towards strengthened disability inclusion across key priority areas.

70. Vanuatu acknowledges the continued partnership of the Australian Government which has provided considerable resources for disability inclusion in the Pacific since 2009, both bilaterally and through multilateral bodies, under the auspices of Development for All 2015-2020: Strategy for strengthening disability-inclusive development in Australia's aid program. In Vanuatu, Australia has strongly supported disability inclusion across several of its programs, including the *Siretem Rod blong Jastis mo Sefti* and Vanuatu Education Support Programs, as well as the Vanuatu Skills Partnership, to which a Disability Inclusive Development Fund grant was provided in 2016 to support the implementation of the National Disability Inclusion Policy for the TVET Sector 2016-2020. The Government of Australia has also supported the activities and operations of VDPA and VSPD and the National Web Accessibility Guideline.

71. Following a legislative compliance by the Pacific Islands Forum and the Vanuatu Government 301 laws were reviewed against the provision of the CRPD in 2016. 101 law was sighted as requiring amendment so to bring it in alignment to the CRPD. A Right of Person with Disability Bill is a priority under the Policy Implementation Plan where the Ministry of Justice through the Disability desk will be conducting public consultation soon.

Right to development: Recommendation 105

72. In line with its national development priorities and commitment under the NSDP, the Government has worked towards equitable development across the country to ensure better access and people development. The Decentralization Act and the implementation of a Decentralization Policy 2017-2027 brings the government closer to the people by

providing citizens with greater control over decision-making process and allowing their direct participation in public service delivery. The Policy's core objectives include devolving decision-making authority, functions and resources in order to improve efficiency and effectiveness in the delivery of services, design and implement mechanisms to ensure a "bottom up" flow of integrated development planning and budgeting from the Area Councils (ACs) to the National Government; enhance political and administrative authority in order to effectively and efficiently deliver services to the lowest level.

73. Key development across Vanuatu include the Government of Vanuatu in partnership with the Australian Government and the Asian Development Bank (ADB) to fund the Port Vila Urban Development Project (PVUDP), one of the major investments in the nation's capital. The PVUDP will contribute to sustainable urban development in Port Vila through improved road, drainage, sanitation, infrastructure and services. Further the Government has also completed an international multi-purpose wharf and container yard and facilities to mitigate high berth occupancy at the existing international wharf. The project will introduce efficient management and improvement of international cargo distribution to contribute to the socioeconomic development.

74. Moreover, the Cyclone Pam Road Reconstruction Project (CPRRP, the Project) aims to accelerate economic and social recovery in affected provinces as defined by the project. The development objective is to restore socioeconomic activities of people around the Efate Ring Road to pre-cyclone levels by repairing about twenty damaged sites. All works have been designed and implemented using the "Build Back Better" (BBB) concept and strengthen the climate and disaster resilience of roads and bridges. The Community Consultation Plan (CCP) describes the purpose, method and outputs of the Project implemented by the Public Works Department (PWD) of the Ministry of Public Infrastructure and Utilities (MIPU) and the stages and processes for communication. The purpose of the CCP is to guide what types of information need to be provided to and obtained from stakeholders, when and how such information is communicated, and how the information is to feed into the different project stages and aspects including feasibility study, detailed design, construction, and operations. Importantly, the CCP is based on local custom and tradition to ensure it facilitates meaningful consultation.

75. Moreover, the Vanuatu Tourism Infrastructure Project (VTIP) is funded by the Government of New Zealand in partnership with the Vanuatu Government through the Enhanced Integrated Framework (EIF). The goal of the project is to contribute to a buoyant, resilient tourism sector that provides greater economic returns. The VTIP is part of a broader portfolio of tourism activities supported by New Zealand and aimed at implementing the Vanuatu Strategic Tourism Action Plan 2014-2018 (VSTAP).

76. The Government under its ratification of the universal access policy ensures that in all its new infrastructure project development, access to disability is considered in its projects design and implementation. The Government has ensured that access for persons with disabilities to infrastructure project development is mandatory. These include the international airport terminal upgrade projects, ports terminal and facilities, Government offices, public buildings, roads and city development projects such as the Port Vila Urban Development projects (PVUDP) and Port Vila sea wall development where the construction of footpath and access ramp are built to comply with the Accessibility policy.

Technical support for human rights: Recommendation 106

77. Vanuatu continues to receive technical and develop support through its bilateral and multilateral relationships. It also accesses technical support around human rights training through regional organizations including UN agencies, SPC, PIFS, MSG and others. Vanuatu enjoys bilateral support with Australia, New Zealand, the European Union and China. We also access multilateral support for our development aspirations as outlined in our NSDP.

Climate Change: Recommendations 107–109

78. In 2016, the Government commissioned the new Ministry of Climate Change. The National Disaster Management Office (NDMO) Act is being reviewed through extensive consultation at the provincial and national level. Other key frameworks include the Climate Change and Disaster Induced Displacement Policy and the Strategic Plan 2016-2020 which is currently being implemented.

79. Further the NDMO Act has a Standard Operating Procedure (SGP) in place outlining civil and military intervention during major emergencies with extensive procedures around awareness through the media and public notices to increase public safety and reduce vulnerabilities. Moreover, the NDMO and Vanuatu Meteorological and Geohazards Department (VMGD) has been actively engaged in early warning system and multiple risk mapping through the following products, automatic weather system; sirens for tsunami warnings and the establishment of weather websites and climate. In 2018, the Government put a ban on the use of plastics and plastic straws in its effort to address pollution. This is in line with Vanuatu's Ocean Policy affecting marine life and our coastal waters and our national commitment to SDG 14.

80. The Correctional Services Department has an Emergency Standard Procedure and Business Continuity Plan to relocate detainees when there is a disaster.

V. Achievements, best practices, challenges and constraints

Achievements

81. The Government of Vanuatu recognizes the progress that has been made in relation to meeting its human rights commitments and obligations. Achievements include:

- Completion and submission of the initial and combined periodic CRPD Report;
- Completion of the 2nd and 3rd CRC Report and constructive dialogue with the CRC Committee in Suva, 2017;
- Completion of the 4th and 5th Report on CEDAW and reported to the Committee in 2016;
- Establishment of a Gender Officer in the DOWA and Ministry of Health;
- Endorsement of the National Child Protection Policy 2016-2026; Child Safeguarding Policy 2017-2020;
- Establishment of an External Inspection Team to inspect and report on the conditions of and treatment in prison;
- Establishment of the Ministry of Climate Change and a Gender and Protection Cluster which ensures the inclusion of gender and protection issues in natural disasters;
- Completion of reproductive health awareness on Tafea and Malampa provinces with the assistance from UNFPA and FNU, 2013 – 2017 cycle;
- Establishment of a Right to Information Unit;
- National Disability Inclusive Development Policy 2018-2025.

Best practice

82. Vanuatu is proud to be the first Pacific State to develop a National Implementation Plan for the UPR recommendations. This plan informed the Government's commitment to implementing key recommendations accepted at the second cycle. Further Vanuatu is one of the few countries to establish a National Human Rights Committee by Regulation (Order 105 of 2014) under the Government Act (No.5 of 1998).

Constraints and challenges

83. The Government has made considerable progress and achieved significant milestones in the protection and promotion of human rights that takes into consideration Vanuatu's culture and Christian faith. However, the Government continues to face numerous challenges to implementing various human rights commitments including understanding the content of the human rights treaties. Some of these challenges include limited resources both financial and human resources. With a very small public sector, the Government is the biggest employer.

84. Further the impact of climate change and hostile natural calamities continues to impede national development and progress. In 2018, Vanuatu completed the wholesale evacuation of the inhabitants of Ambae, one of the main islands of Vanuatu, due to serious volcanic activities. The relocation of the people of Ambae has not been without its challenges which remain a priority issue for the Government. Moreover, the devastating impact of Cyclone Pam in 2015 resulted in widescale destruction of property and the loss of human life. Government has ensured as part of its priorities the rehabilitation work to ensure basic access to facilities and services for the people affected most by this cyclone.

VI. Key national priorities and initiatives and commitments that the State concerned has undertaken and intends to undertake to overcome those challenges and constraints and improve human rights situations in the State

85. The Vanuatu NSDP provides the strategy for addressing challenges and constraints to improve human rights situation in the country. Under the heading of "Society 4, Social Inclusion", the Plan provides for an inclusive society which upholds human dignity and where the rights of all Ni-Vanuatu including women, youth, the elderly and vulnerable groups are supported, protected and promoted in our legislation and institutions. Various other policies and frameworks discussed in this report by Government Ministries and Department are written in alignment to the NSDP. As a priority framework for Government, the national budget is mirrored to implementing the priorities identified in the Plan. Further development assistances sought are also towards realizing the NSDP.

VII. Expectations of the state concerned in terms of capacity building and request if any, for technical and support received

86. The Government of Vanuatu recognizes the importance of building a strong capable workforce and therefore is committed to ensuring capacity building and training across Ministries and departments. In this regard, the Government seeks further technical training support and resources from technical agencies, funding institutions, regional and international organizations and development partners. Further training on human rights and thematic issues need to be held with all relevant stakeholders particularly police, corrections, teachers, health workers etc.

87. Further the Government recognizes the need to raise awareness on a range of issues particularly climate change and its intersectionality with human rights. The Government continues to deal with challenges of climate change include severity of weather disturbances and rising sea level and therefore requests for continued assistance both financial and capacity building to assist the Government in meeting these challenges.

VIII. Voluntary commitments

88. The Government commits to scoping a feasibility study in the establishment of a national human rights institution. This will then inform the Government of its next steps.

89. The National Human Rights Committee is considering providing an advice to the Government on the ratification of other core human rights treaties and Optional Protocols. This is in line with the Committee's mandate.

IX. Conclusion

90. The Government of Vanuatu recognizes the added value of the Universal Periodic Review process in highlighting key challenges and measures to address these challenges. While the challenges are many, the Government will continue within its resources and capacity to try and implement them. The NSDP provides the framework for the Government to advance its development priorities and seeks collaborative partnerships particularly with its development partners to ensure that their programs are aligned to the national vision, goals and policy objectives in the Plan. Such partnerships will strengthen the Government's commitment to better protecting and promoting human rights of its people.

Notes

¹ https://mjcs.gov.vu/images/news/disability_desk/UPR/UPR_National_Action_Plan_20142018.pdf

² <https://www.gov.vu/en/publications/vanuatu-2030-26-national-sustainable-development-plan-2016-to-2030>

³ Constitution of the Republic of Vanuatu of 1980. /vanuatu.

⁴ Public Prosecutor v Kalosil - Sentence [2015] VU SC 149; Criminal Case 73 of 2015 (22 October 2015).

⁵ https://mjcs.gov.vu/images/policy/Vanuatu_National_Child_Protection_Policy_2016-2026_FINAL_Nov16.pdf

⁶ https://mjcs.gov.vu/images/policy/DID_Policy_2018-2025.pdf

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Compilation on Vanuatu**Report of the Office of the United Nations High Commissioner for Human Rights****I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1,2}

2. In 2016, the Committee on the Elimination of Discrimination against Women encouraged Vanuatu to ratify the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.³ In 2017, the Committee on the Rights of the Child also recommended ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance.⁴

3. The Committee on the Elimination of Discrimination against Women recommended ratifying the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.⁵ The Committee on the Rights of the Child urged Vanuatu to ratify the 1993 Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption.⁶

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III. National human rights framework⁷

4. The Committee on the Rights of the Child welcomed the establishment of the Vanuatu Law Commission and the ongoing legislative reform, and recommended the implementation of the revisions suggested by the Commission.⁸

5. The Committee on the Rights of the Child was concerned that the criminal law of Vanuatu did not define and criminalize all forms of offences under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, including all forms of the sale of children, and did not adequately protect all children under the age of 18 years.⁹ It also stated that the Control of Marriage Act and the Penal Code still had to be harmonized with the Convention.¹⁰

6. The Committee on the Rights of the Child recommended that Vanuatu bring its Penal Code and other relevant legislation into full compliance with articles 2 and 3 of the aforementioned Optional Protocol. It also recommended that Vanuatu clearly stipulate that a child under 18 years of age, irrespective of the legal age of consent to sexual activity, was unable to consent to any form of sexual exploitation, including child pornography and child prostitution; and define and criminalize all forms of the sale of children.¹¹ In addition, it recommended that Vanuatu include in its Penal Code provisions concerning criminal proceedings and special protection measures for children.¹²

7. The Committee on the Rights of the Child recommended criminalizing the recruitment or use in hostilities of children under 18 years of age by non-State armed groups.¹³

8. While noting that the legislation of Vanuatu provided for extraterritorial jurisdiction over certain crimes, the Committee on the Rights of the Child recommended that it should include in its extraterritorial jurisdiction legislation the offences under the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography.¹⁴ The Committee also recommended that the dual criminality requirement not be applied in cases of extradition for crimes covered by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.¹⁵

9. The Committee on the Rights of the Child recommended drafting a bill on child protection, as envisaged under the Vanuatu Child Protection Work Plan (2016–2017).¹⁶

10. The Committee on the Rights of the Child recommended implementing the Family Protection Act (2008).¹⁷

11. The Committee on the Elimination of Discrimination against Women noted that an employment relations bill was being prepared.¹⁸

12. The Committee on the Elimination of Discrimination against Women welcomed the adoption of the National Gender Equality Policy (2015–2019), the Reproductive Health Policy (2015) and its Implementation Strategy (2016–2018), the National Law and Justice Sector Strategy (2010–2017) and the Gender Equity in Education Policy (2005–2015), in an effort to eliminate discrimination against women and promote gender equality.¹⁹

13. The Committee on the Elimination of Discrimination against Women recommended that Vanuatu upgrade the Department of Women's Affairs to a ministry and provide it with adequate resources to enable it to develop sustainable and comprehensive policies on gender equality and to effectively coordinate gender mainstreaming at all levels of government.²⁰

14. The Committee on the Rights of the Child welcomed the National Child Protection Policy (2016–2026) and recommended allocating appropriate resources for its implementation.²¹ It recommended that Vanuatu adopt a comprehensive national strategy for children, with appropriate resources,²² and develop a policy for the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, with sufficient resources.²³ It also recommended that Vanuatu adopt a national action plan to address all the issues covered under the Optional Protocol to

the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, with adequate resources for its implementation.²⁴

15. The Committee on the Rights of the Child also took note of the Education Act (2014), the Inclusive Education Policy and Strategic Plan (2010–2020), the Early Childhood Care and Education Policy (2017–2021) and the accompanying Minimum Quality Service Standards (2017) and the Vanuatu National Language Policy (2012).²⁵

16. The Committee on the Rights of the Child was concerned that the National Children's Committee had not been fully functional since 2012 and recommended that Vanuatu provide it with the necessary human, technical and financial resources for its effective operation. It also recommended that Vanuatu progressively allocate sufficient financial resources to fund the child-focused officer positions at the national and provincial levels.²⁶

17. The Committee on the Rights of the Child recommended that Vanuatu strengthen its data-collection system to ensure that it captured qualitative and quantitative disaggregated data on children, including children with disabilities, particularly at the provincial level, and provide appropriate human, technical and financial resources.²⁷

18. The Committee on the Elimination of Discrimination against Women recommended that Vanuatu establish an independent national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).²⁸ The Committee on the Rights of the Child also recommended that Vanuatu take measures to expeditiously establish an independent mechanism for monitoring human rights, including a specific mechanism for monitoring children's rights that was able to receive, investigate and address complaints by children in a child-sensitive manner.²⁹ In that regard, the same Committee recommended that Vanuatu seek technical cooperation from, among others, the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme.³⁰

19. The Committee on the Rights of the Child recommended that Vanuatu strengthen its national mechanism for reporting and follow-up, the National Human Rights Committee.³¹

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination³²

20. The Committee on the Rights of the Child was concerned about the remaining de jure and de facto discrimination of children based on gender and disabilities, and recommended ending all forms of discrimination against them, particularly against girls and against children with disabilities.³³

21. The Committee on the Elimination of Discrimination against Women recommended that Vanuatu amend its Constitution and other relevant legislation to incorporate fully the principle of equality between women and men and a prohibition of discrimination based on sex and gender, covering direct and indirect discrimination in both the public and private spheres.³⁴

22. The Committee on the Rights of Persons with Disabilities requested information on the measures taken to include disability as a prohibited grounds of discrimination in the Constitution and other legislation and to remove the use of terminology that was not in accordance with the Convention on the Rights of Persons with Disabilities from existing laws. It also asked for further elaboration on the measures taken to ensure that the anti-discriminatory framework encompassed all forms of discrimination on the basis of

disability, including the denial of reasonable accommodation and discrimination by association.³⁵

2. Development, the environment, and business and human rights³⁶

23. It was indicated in the United Nations Pacific Strategy (2018–2022) that Vanuatu was considered the world's most at-risk nation to natural disasters. In 2015, Cyclone Pam, one of the worst natural disasters ever to hit Vanuatu, had caused widespread damage to 22 islands and 166,000 people (two thirds of the population) had required urgent humanitarian assistance. Severe weather events were expected to increase in frequency and intensity as a result of climate change and threatened the social and economic progress of Vanuatu.³⁷

24. The Committee on the Elimination of Discrimination against Women noted the vulnerability of Vanuatu to environmental and climate change and natural disasters, and welcomed the Climate Change and Disaster Risk Reduction Policy (2016–2030).³⁸ It recommended that women, including those living on the outer islands, be included and actively participate in planning, decision-making and implementation processes concerning disaster risk reduction, post-disaster management and climate change policies.³⁹

25. The Committee on the Rights of the Child recommended that Vanuatu develop a comprehensive disaster-sensitive social protection system, taking into account the special vulnerabilities and needs of children; review the emergency protocols to include support to children with disabilities during emergencies and natural disasters; and increase the physical safety and resilience of school infrastructure.⁴⁰

B. Civil and political rights

1. Right to life, liberty and security of person⁴¹

26. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that it had recorded no killings of journalists or media workers in Vanuatu since 2008.⁴²

2. Administration of justice, including impunity, and the rule of law⁴³

27. The Committee on the Elimination of Discrimination against Women noted that customary law and the formal justice system existed side by side, recommending that Vanuatu develop a strategy that ensured that traditional justice mechanisms complied with human rights standards when addressing women's complaints.⁴⁴

28. The Committee on the Elimination of Discrimination against Women remained concerned about women's limited access to justice, particularly on the outer islands, and their difficulties in obtaining effective remedies and redress in both the traditional and formal justice systems. It was also concerned about the lack of procedural accommodation by the justice system for women and girls with disabilities. It recommended that Vanuatu raise women's awareness of their rights and how to enforce them; establish effective remedies in both the formal and traditional justice systems to enable women to obtain redress; provide capacity-building to judges, lawyers and law enforcement officers on women's rights; and allocate resources to the formal justice system, especially on the outer islands.⁴⁵

29. The Committee on the Rights of Persons with Disabilities requested information on the measures taken to raise awareness among persons with disabilities about their right to gain access to justice and to ensure that they had access to legal aid, including free counselling and legal aid from the Public Solicitor's Office, on an equal basis with others, particularly those with limited financial resources.⁴⁶

30. The Committee on the Rights of the Child expressed concern that, while the amendment of the Correctional Services Act had increased the definition of juvenile to 18 years,⁴⁷ there was no law governing the administration of juvenile justice, and that the minimum age of criminal responsibility was set at 10 years.⁴⁸ It also expressed concern that the Penal Code provided for detention, as a measure of last resort, only for children under

16 years.⁴⁹ It urged Vanuatu to bring its juvenile justice system fully into line with the relevant standards and, in particular, to adopt legislation for the administration of juvenile justice, establish specialized juvenile courts and procedures with adequate resources and raise the minimum age of criminal responsibility in accordance with acceptable international standards.⁵⁰

3. Fundamental freedoms and the right to participate in public and political life⁵¹

31. UNESCO noted that defamation remained criminalized under article 120 of the Penal Code, and that those guilty of such a crime could face a prison sentence of three years.⁵²

32. The Committee on the Elimination of Discrimination against Women welcomed the amendment of the Municipalities Act in 2013 and the introduction of a 30 per cent quota for women's representation in all municipal councils.⁵³ It remained concerned, however, about women's underrepresentation in political and public life, especially at the decision-making level.⁵⁴

33. The Committee on the Elimination of Discrimination against Women recommended that Vanuatu enact legislation to reserve at least 30 per cent of seats in Parliament for women; increase the percentage of women in appointed government positions, the foreign service and the judiciary, particularly at the senior level; promote women's participation in customary bodies; ensure that women representatives on provincial councils had equal voting rights; and establish a mechanism to monitor the implementation of minimum quotas for women's representation in elected and appointed bodies.⁵⁵

34. The Committee on the Rights of Persons with Disabilities asked Vanuatu to describe the measures taken to promote and encourage the meaningful participation of all persons with disabilities, particularly women with disabilities, in decision-making processes in public affairs at all levels, and to ensure that such processes were inclusive and accessible, including through Easy Read.⁵⁶

4. Prohibition of all forms of slavery

35. The Committee on the Elimination of Discrimination against Women expressed concerns about the absence of a law to prevent, suppress and punish trafficking in persons, in particular women and girls, and the lack of data on trafficking and exploitation of prostitution. It recommended that Vanuatu adopt such a law to prevent, suppress and punish trafficking in persons, particularly women and girls, and provide capacity-building for law enforcement officers and legal practitioners on early referral of, and gender-sensitive procedures and assistance to, victims of trafficking in persons.⁵⁷

5. Right to privacy and family life

36. While noting the review of discriminatory laws undertaken by the Law Reform Commission in order to propose amendments as part of its programme of comprehensive family law reform, the Committee on the Elimination of Discrimination against Women recommended that Vanuatu expedite that review so that both spouses had equal rights and responsibilities during marriage and upon its dissolution.⁵⁸ The Committee on the Rights of the Child urged Vanuatu to adopt a comprehensive family law reform.⁵⁹ In addition, the Committee expressed serious concern that the minimum age for marriage was still set at 16 years for girls under the Control of Marriage Act. In that regard, it urged Vanuatu to revise the Control of Marriage Act to ensure that the minimum age for marriage was established at 18 years for both girls and boys, and to take all measures necessary to eliminate child marriages.⁶⁰

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work

37. The Committee on the Elimination of Discrimination against Women noted with concern that most women were self-employed or employed in the informal sector. It

recommended that Vanuatu combat discrimination in the workplace and promote equal opportunities for and equal treatment of women in employment in both the public and private sectors, through comprehensive legislation; promote women's access to employment in the formal sector with adequate social security coverage; and monitor the working conditions of self-employed women and women in the informal economy. It also recommended that Vanuatu criminalize sexual harassment in the workplace and establish effective complaint mechanisms.⁶¹

2. Right to social security

38. The Committee on the Rights of Persons with Disabilities requested information on the measures taken to ensure the access of persons with disabilities to social protection and poverty reduction programmes that were gender and age appropriate and covered disability-related extra costs, particularly in rural areas.⁶²

3. Right to an adequate standard of living⁶³

39. The Committee on the Rights of the Child expressed concern about the prevalence of child poverty and regional disparities among the provinces in terms of access to housing, education, water, food and health care. It recommended that Vanuatu consider holding targeted consultations with families, children and children's rights civil society organizations on the issue of child poverty. It also recommended that Vanuatu expand coverage to reach groups in disadvantaged situations that did not have improved access to water and sanitation, especially in rural and remote communities, in health-care facilities and in schools, including early childhood care education centres.⁶⁴

4. Right to health⁶⁵

40. The Committee on the Elimination of Discrimination against Women noted with concern the limited access of women and girls to health services and to medical treatment and rehabilitation services for victims of gender-based violence. It recommended that Vanuatu ensure the availability of health services throughout the territory, including on the outer islands, and develop protocols and ensure the provision of skilled medical aid to women and girls who were victims of physical or sexual violence. It also recommended that Vanuatu ensure access to mainstream health services, including sexual and reproductive health services, for women and girls with disabilities, especially in remote areas.⁶⁶

41. The Committee on the Rights of the Child expressed concerns about the high rate of teenage pregnancies and sexually transmitted infections among adolescents, and the limited access to safe reproductive and sexual health services, especially in rural areas and the outer islands, and to methods of birth control.⁶⁷ It recommended that Vanuatu adopt a comprehensive sexual and reproductive health policy, improve access to reproductive health-care services, increase support to reproductive health and family planning services and improve access to affordable contraceptive methods.⁶⁸

42. The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child recommended that Vanuatu introduce age-appropriate education on sexual and reproductive health and rights and responsible sexual behaviour for girls and boys, in order to prevent early pregnancy and sexually transmitted infections.⁶⁹

43. The Committee on the Rights of the Child was concerned that abortion was a criminal offence without any exceptions. It recommended that Vanuatu decriminalize abortion in cases of rape, incest and other unwanted pregnancies, and ensure access to safe abortion and post-abortion care services.⁷⁰

44. The Committee on the Rights of the Child expressed concerns about the high rates of infant and under-5 mortality; low vaccination coverage, particularly in rural areas and the outer islands; and stunting, and the prevalence of underweight and malnutrition, which was a leading cause of child death. It recommended that Vanuatu ensure adequate health facilities and improve access to basic health-care services, particularly in rural and remote areas.⁷¹

45. The Committee on the Rights of the Child expressed concern that no new policy or action plan on children's mental health had been developed. It was also concerned about the insufficient number of personnel specialized in children's mental health issues. It recommended that Vanuatu evaluate the lapsed National Mental Health Policy (2009–2015) and its accompanying plan of action, and take all measures necessary, including regional cooperation, to increase the capacity and number of personnel specialized in children's mental health issues.⁷² Similarly, the Committee on the Rights of Persons with Disabilities requested information on the progress achieved in drafting a new Mental Health Act and the measures to ensure that the Act was in accordance with the Convention.⁷³

5. Right to education⁷⁴

46. While noting the increased enrolment rates, the Committee on the Rights of the Child was concerned at education not being compulsory and the disparities in the quality of and access to education between urban and remote areas.⁷⁵ The Committee on the Elimination of Discrimination against Women noted with concern the indirect costs of schooling at the primary and secondary levels.⁷⁶ The Committee on the Rights of the Child recommended that Vanuatu make primary education free and compulsory, increase the number of certified teachers and funding for education and ensure equal access to quality education in all provinces. It also recommended that Vanuatu increase enrolment at the early childhood education and secondary school levels, and put in place programmes to facilitate access to non-formal education programmes for overage children.⁷⁷

47. The Committee on the Elimination of Discrimination against Women noted with concern the high dropout rates among girls at the secondary level of education, the reported incidents of sexual violence in schools involving both male teachers and pupils and the very limited number of girls applying for tertiary education scholarships. It recommended that Vanuatu take measures to retain girls in school, adopt re-entry and inclusive education laws enabling pregnant girls, young mothers and married girls under 18 years of age to remain in or return to school, and ensure that girls were not expelled from school on grounds of pregnancy. It also recommended that Vanuatu adopt a zero-tolerance policy for cases of sexual violence in schools and provide girls with career counselling.⁷⁸

48. UNICEF reported that, in targeted provinces of Vanuatu, primary school teachers were supported through school-based professional development and head teachers were supported through instructional leadership. Activities for early childhood community facilitators strengthened their capacity to deliver, through monthly home visits, parenting support in early childhood related to early learning and school readiness. It also noted the results of a subsequent survey of parents, which revealed that 85 per cent of families read to their children and interacted with them using children's storybooks.⁷⁹

D. Rights of specific persons or groups

1. Women⁸⁰

49. The Committee on the Elimination of Discrimination against Women was concerned at the persistence of discriminatory gender stereotypes and patriarchal attitudes.⁸¹ It recommended that Vanuatu put in place a comprehensive strategy to eliminate those attitudes and stereotypes, engaging civil society organizations and the mass media,⁸² and adopt specific and results-oriented temporary measures in all areas in which women were underrepresented or disadvantaged.⁸³ The Committee on the Rights of the Child recommended that Vanuatu develop strategies to change the negative attitudes against unmarried mothers.⁸⁴

50. The Committee on the Elimination of Discrimination against Women was deeply concerned at the pervasive levels of domestic violence and at the high prevalence of sexual abuse of girls under 15 years of age, mostly by male family members and partners. It was also concerned about the persistence of harmful practices, such as bride price, and accusations of witchcraft against women. It urged Vanuatu to ensure protection orders, legal remedies and assistance for women victims of domestic violence; prosecute and punish perpetrators; put an end to the application of customary law that provided for the

payment of bride prices; and investigate violence against, and the murder of, women and girls based on accusations of witchcraft or sorcery, and prosecute and punish the perpetrators.⁸⁵

51. In 2018, Vanuatu confirmed that violence against women and children was widespread with 60 per cent of women experiencing physical and/or sexual violence by an intimate partner in their lifetime.⁸⁶ It also stated that the Government had amended the Penal Code through the Penal Code (Amendment) Act No. 15 (2016), which reflected the Government's intention to increase prison sentences for all gender-related offences, particularly sexually related offences.⁸⁷

52. The Committee on the Elimination of Discrimination against Women was concerned that polygamy was not prohibited, and that the registration of customary marriages was not mandatory, preventing women from claiming their legal rights. It recommended the prohibition of polygamy and the registration of all customary marriages.⁸⁸

53. While noting the adoption of the Customary Land Management Act No. 33 (2013), the Committee on the Elimination of Discrimination against Women remained concerned that the customary landownership system did not guarantee women equal rights to landownership and inheritance. It called upon Vanuatu to ensure that women had equal rights to landownership and land inheritance, and to eliminate discriminatory customs and traditional practices that affected the full enjoyment of these rights.⁸⁹

2. Children⁹⁰

54. While noting the progress in birth registration coverage, the Committee on the Rights of the Child recommended that Vanuatu strengthen its efforts to implement early birth registration procedures and the issuance of birth certificates with a special focus at the community level; improve birth registration outside hospital facilities; and ensure the accuracy of registration details for children born out of wedlock and to adolescent mothers.⁹¹ In that regard, UNICEF noted that, in August 2017, the Vanuatu Cabinet had approved the National Civil Registration and Vital Statistics policy, which allowed the State Law Office to resume work to finalize the proposed amendments to the Civil Status Act that had been put on hold pending approval of the policy. It also highlighted that a public awareness campaign would be carried out to inform the public about the new provisions. The objectives of the newly adopted policy included universal civil registration of births and deaths, the provision of legal documentation as proof of identity and access to services for all in the production, dissemination and utilization of accurate vital statistics.⁹²

55. The Committee on the Rights of the Child recommended that Vanuatu amend its existing legislation, in particular the Family Protection Act and the Penal Code, to explicitly prohibit corporal punishment in all settings; immediately and effectively implement the Education Act prohibiting corporal punishment in schools and strengthen teacher training on alternative forms of discipline and ensure it was part of pre- and in-service training programmes; develop guidelines for the implementation of the prohibition of corporal punishment in accordance with the Education Act and vigorously prosecute offenders; provide programmes for parents, teachers, the police and professionals who worked with and for children to encourage the use of alternative non-violent forms of discipline; provide children with a complaints mechanism in schools so that they could safely and confidentially report teachers who continued to use corporal punishment despite the ban; and strengthen awareness-raising programmes, training and other activities to promote the change of mindset regarding corporal punishment, particularly in schools, in the family and at the community level.⁹³

56. The Committee on the Rights of the Child remained concerned at the reportedly high level of sexual abuse of children, including sexual harassment within communities. It urged Vanuatu to tackle domestic violence, child abuse and sexual exploitation, paying particular attention to its gender dimension; ensure adequate resources for the Family Protection Units of the police, for dealing with those cases; introduce special court procedures to hear evidence from child victims of violence; ensure psychological and recovery services for child victims; and combat the stigmatization of child victims of sexual exploitation and abuse, including incest.⁹⁴

57. Concerned at the reported dissemination of child sexual exploitation material through mobile telephones, the Committee on the Rights of the Child recommended that Vanuatu adopt the draft cybercrime policy on preventing and addressing online child sexual exploitation and abuse, launch a public awareness-raising education programme and introduce mandatory school education on online behaviour and safety.⁹⁵

58. The Committee on the Rights of the Child recommended that Vanuatu adequately document and effectively investigate all cases of the sale of children, child prostitution and child pornography, and prosecute and punish perpetrators.⁹⁶ It also recommended that Vanuatu adopt additional measures to eliminate the exploitation of children for prostitution.⁹⁷ It further recommended that Vanuatu establish the criminal liability of legal persons for all offences defined in articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.⁹⁸

59. Concerned about the harmful customary practice of exchanging children between tribes for the purposes of keeping peace in the community, the Committee on the Rights of the Child recommended that Vanuatu expedite legislation criminalizing such a practice.⁹⁹

60. The Committee on the Rights of the Child was concerned at the lack of progress in the elimination of the worst forms of child labour. It urged Vanuatu to adopt a policy on child labour and a list of hazardous work for children and ensure that no child under 18 years engaged in such work; put in place social programmes that targeted the elimination or prevention of child labour, especially its worst forms; and establish child-specific complaint mechanisms.¹⁰⁰

61. The Committee on the Rights of the Child recommended that Vanuatu establish the referral and follow-up procedures provided for under the Family Protection Act, as well as specialized mechanisms and procedures for the identification of children at risk of becoming victims of the offences covered by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, particularly children in vulnerable situations and girls, including asylum-seeking and refugee children, and unaccompanied migrant and undocumented children.¹⁰¹ It further recommended that Vanuatu provide child victims of offences covered by the same Optional Protocol with appropriate assistance, including for their physical, psychological and full social reintegration.¹⁰²

62. The Committee on the Rights of the Child was concerned that the alternative care of children was not regulated, and that most children in alternative care were placed under kinship care or with extended family due to the absence of social welfare services. It recommended that Vanuatu establish a legal framework for monitoring family-based care for children and alternative care institutions and a system of foster care and quality standards for all available forms of alternative care options, and periodically review the placement of children in foster care and institutions.¹⁰³

63. While welcoming the progress made to speed up the process of formal adoption, the Committee on the Rights of the Child was concerned that children were often adopted through informal arrangements (*kastom*) by their extended family or members of the same community. It urged Vanuatu to expedite the Vanuatu Law Commission's review of the Adoption Act (1958), develop adoption-related regulations and guidelines, establish a unit to oversee formal adoption processes with adequate resources, and establish monitoring mechanisms of informal adoptions.¹⁰⁴

3. Persons with disabilities¹⁰⁵

64. The Committee on the Rights of Persons with Disabilities asked Vanuatu to provide information on the measures taken to domesticate the Convention on the Rights of Persons with Disabilities, particularly taking into consideration the recommendations of the legislative review by the Ministry of Justice in 2016.¹⁰⁶

65. The Committee on the Rights of Persons with Disabilities requested information on the measures taken to adopt statistics and improve data-collection processes on the rights of persons with disabilities, disaggregated by sex, age, disability, geographic location and

other characteristics relevant in the national context, taking into account the human rights-based model of disability and the Washington Group Short Set of Questions on Disability and with the full and meaningful participation of representative organizations of persons with disabilities.¹⁰⁷

66. The Committee on the Rights of the Child noted the ongoing consultation process on the inclusive disability policy, the drafting of the Disability Bill, the appointment of the Disability Desk Officer and the Inclusive Education Policy and Strategic Plan (2010–2020).¹⁰⁸

67. The Committee on the Rights of Persons with Disabilities also asked Vanuatu to provide information on the measures taken to establish the National Disability Council as provided for in the National Disability Policy and Action Plan (2008–2015).¹⁰⁹

68. The Committee on the Elimination of Discrimination against Women expressed concern about the lack of specific measures to protect the rights of women and girls with disabilities and the absence of mechanisms to protect them from multiple and intersecting forms of discrimination. It called upon Vanuatu to mainstream their rights across all laws, policies and programmes regarding gender equality.¹¹⁰ The Committee on the Rights of Persons with Disabilities requested information on how the Family Protection Act and the National Gender Equality Policy (2015–2019) contributed to the effective fulfilment of the rights of women and girls with disabilities, in particular the rights to gain access to health services.¹¹¹ In that connection, it requested information on the measures taken to ensure that persons with disabilities had access to affordable, accessible, quality and culturally sensitive health services, in private and public settings, including sexual and reproductive health services.¹¹²

69. The Committee on the Rights of the Child expressed concerns at the stigmatization of children with disabilities and their limited access to inclusive education, transportation, public spaces, rehabilitation, and early identification and referral programmes. It urged Vanuatu to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities, adopt the Disability Bill, implement the National Disability Inclusive Development Policy (2016–2025) and address discrimination and stigma against children with disabilities.¹¹³

70. UNICEF noted that more than 40 children with disabilities, their parents and caregivers from four communities continued to benefit from a UNICEF-supported early intervention programme implemented by the Vanuatu Society for Persons with Disability. The programme aimed at preparing children for integration into mainstream schools and sporting activities, while equipping parents and caregivers with nurturing and learning stimulation skills. An expansion of that partnership created synergies and valuable collaborations with other agencies and ministries to improve the situation of children with disabilities. More specifically, UNICEF highlighted that, in partnership with the Vanuatu Society for Persons with Disabilities, young children with disabilities were provided with early stimulation, support with their integration into mainstream schools and referrals for medical needs and/or assistive devices.¹¹⁴

71. The Committee on the Rights of Persons with Disabilities requested information on the measures taken to ensure that the implementation of the Inclusive Education Policy and Strategic Plan (2010–2020) ensured access to inclusive education for all children with disabilities in accordance with the Convention. It also asked that Vanuatu explain the other initiatives taken to effectively implement an inclusive education system.¹¹⁵

72. The Committee on the Rights of Persons with Disabilities requested information on the specific mechanisms and channels available to children with disabilities to express their views on all matters affecting them, and the measures taken to ensure that their views were taken into consideration.¹¹⁶

73. The Committee on the Rights of Persons with Disabilities also requested information on the legal, administrative, programmatic and any other measures, including budget allocations, to remove barriers, whether physical or informational, faced by persons with disabilities in accessing public places and services, including roads, buildings,

transportation and schools, and increasing the accessibility of persons with disabilities to travel across all parts of Vanuatu.¹¹⁷

4. Migrants, refugees, asylum seekers and internally displaced persons

74. The Committee on the Rights of the Child recommended that Vanuatu put in place mechanisms to identify refugee, asylum-seeking and migrant children, including unaccompanied children, who might have been involved in hostilities, and provide them with appropriate assistance for their physical and psychological recovery and social reintegration.¹¹⁸

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Vanuatu will be available at www.ohchr.org/EN/Countries/AsiaRegion/Pages/VUIndex.aspx.

² For relevant recommendations, see A/HRC/26/9, paras. 99.1–99.14, 99.29–99.31, 99.70–99.71 and 99.106.

³ CEDAW/C/VUT/CO/4-5, para. 46. See also CRC/C/VUT/CO/2-4, para. 53 (a)–(b) and (d).

⁴ CRC/C/VUT/CO/2-4, paras. 52 and 53 (c) and (e). See also CRC/C/OPAC/VUT/CO/1, para. 19.

⁵ CEDAW/C/VUT/CO/4-5, para. 23 (a).

⁶ CRC/C/VUT/CO/2-4, para. 33 (f).

⁷ For relevant recommendations, see A/HRC/26/9, paras. 99.15–99.28, 99.32 and 99.109.

⁸ CRC/C/VUT/CO/2-4, paras. 5–6 (a). See also CEDAW/C/VUT/CO/4-5, para. 38.

⁹ CRC/C/OPSC/VUT/CO/1, para. 23. See also para. 7.

¹⁰ CRC/C/VUT/CO/2-4, para. 5.

¹¹ CRC/C/OPSC/VUT/CO/1, para. 24 (a)–(b). See also para. 8.

¹² *Ibid.*, para. 34 (b).

¹³ *Ibid.*, para. 12.

¹⁴ *Ibid.*, para. 13 and CRC/C/OPSC/VUT/CO/1, para. 30.

¹⁵ CRC/C/OPAC/VUT/CO/1, para. 15.

¹⁶ CRC/C/VUT/CO/2-4, para. 6 (b).

¹⁷ *Ibid.*, para. 6 (c).

¹⁸ CEDAW/C/VUT/CO/4-5, para. 28.

¹⁹ *Ibid.*, para. 5. See also paras. 18 and 30.

²⁰ *Ibid.*, para. 13.

²¹ CRC/C/VUT/CO/2-4, paras. 7–8 (a).

²² *Ibid.*, para. 8 (b).

²³ CRC/C/OPAC/VUT/CO/1, paras. 6 and 8.

²⁴ CRC/C/OPSC/VUT/CO/1, para. 10.

²⁵ CRC/C/VUT/CO/2-4, para. 46.

²⁶ *Ibid.*, paras. 9–10 (a)–(b). See also CRC/C/OPSC/VUT/CO/1, paras. 11–12.

²⁷ CRC/C/VUT/CO/2-4, para. 13 (c).

²⁸ CEDAW/C/VUT/CO/4-5, para. 15.

²⁹ CRC/C/VUT/CO/2-4, para. 15 (a).

³⁰ *Ibid.*, para. 15 (b).

³¹ *Ibid.*, para. 56.

³² For relevant recommendations, see A/HRC/26/9, paras. 99.35–99.36 and 99.38–99.44.

³³ CRC/C/VUT/CO/2-4, paras. 19–20.

³⁴ CEDAW/C/VUT/CO/4-5, para. 9.

³⁵ CRPD/C/VUT/Q/1, para. 3 (a)–(b).

³⁶ For relevant recommendations, see A/HRC/26/9, paras. 99.105 and 99.107–99.108.

³⁷ United Nations Pacific Strategy 2018–2022, p. 72.

³⁸ CEDAW/C/VUT/CO/4-5, para. 36.

³⁹ *Ibid.*, para. 37. See also CEDAW/C/VUT/CO/4-5/Add.1, paras. 32–41.

⁴⁰ CRC/C/VUT/CO/2-4, para. 43 (b)–(d).

⁴¹ For relevant recommendations, see A/HRC/26/9, paras. 99.37 and 99.59.

⁴² UNESCO submission for the universal periodic review of Vanuatu, para. 8.

⁴³ For relevant recommendations, see A/HRC/26/9, paras. 99.56–99.58 and 99.60–99.66.

⁴⁴ CEDAW/C/VUT/CO/4-5, paras. 10 and 11 (c).

⁴⁵ *Ibid.*, paras. 10–11 (a)–(b) and (d).

⁴⁶ CRPD/C/VUT/Q/1, para. 14 (b).

⁴⁷ CRC/C/VUT/CO/2-4, para. 50.

- ⁴⁸ Ibid., para. 50 (a)–(b).
- ⁴⁹ Ibid., para. 50 (c).
- ⁵⁰ Ibid., para. 51 (a)–(c).
- ⁵¹ For relevant recommendations, see A/HRC/26/9, paras. 99.74–99.75.
- ⁵² UNESCO submission, para. 6.
- ⁵³ CEDAW/C/VUT/CO/4-5, para. 16.
- ⁵⁴ Ibid., para. 24 (a).
- ⁵⁵ Ibid., para. 25 (a)–(e).
- ⁵⁶ CRPD/C/VUT/Q/1, para. 33.
- ⁵⁷ CEDAW/C/VUT/CO/4-5, para. 23 (a) and (c).
- ⁵⁸ Ibid., paras. 38–39 (a).
- ⁵⁹ CRC/C/VUT/CO/2-4, para. 33 (a).
- ⁶⁰ Ibid., paras. 17–18. See also CEDAW/C/VUT/CO/4-5, paras. 38 and 39 (b).
- ⁶¹ CEDAW/C/VUT/CO/4-5, paras. 28–29 (a)–(c).
- ⁶² CRPD/C/VUT/Q/1, para. 31 (b).
- ⁶³ For relevant recommendations, see A/HRC/26/9, paras. 99.76–99.78 and 99.80.
- ⁶⁴ CRC/C/VUT/CO/2-4, paras. 44–45 (a)–(b).
- ⁶⁵ For relevant recommendations, see A/HRC/26/9, paras. 99.79 and 99.81–99.84.
- ⁶⁶ CEDAW/C/VUT/CO/4-5, paras. 30 (a) and 31 (a)–(b) and (d).
- ⁶⁷ CRC/C/VUT/CO/2-4, para. 40 (a) and (d). See also CEDAW/C/VUT/CO/4-5, para. 30 (a)–(b).
- ⁶⁸ CRC/C/VUT/CO/2-4, para. 41 (a) and (d)–(e). See also CEDAW/C/VUT/CO/4-5, para. 31 (a).
- ⁶⁹ CEDAW/C/VUT/CO/4-5, para. 27 (d) and CRC/C/VUT/CO/2-4, para. 41 (b). See also CEDAW/C/VUT/CO/4-5, para. 31 (c).
- ⁷⁰ CRC/C/VUT/CO/2-4, paras. 40 (c) and 41 (c).
- ⁷¹ Ibid., paras. 36 (a)–(c) and 37 (e)–(f).
- ⁷² Ibid., para. 38.
- ⁷³ CRPD/C/VUT/Q/1, para. 27.
- ⁷⁴ For relevant recommendations, see A/HRC/26/9, paras. 99.85–99.96.
- ⁷⁵ CRC/C/VUT/CO/2-4, para. 46 (a) and (e).
- ⁷⁶ CEDAW/C/VUT/CO/4-5, para. 26 (c).
- ⁷⁷ CRC/C/VUT/CO/2-4, para. 47 (a)–(f).
- ⁷⁸ CEDAW/C/VUT/CO/4-5, paras. 26 (a) and (d)–(e) and 27 (a)–(c) and (e).
- ⁷⁹ UNICEF, *UNICEF Annual Report 2017: Pacific Island Multi-country Programme*, p. 7.
- ⁸⁰ For relevant recommendations, see A/HRC/26/9, paras. 99.33–99.34, 99.45–99.53 and 99.97–99.98.
- ⁸¹ CEDAW/C/VUT/CO/4-5, para. 18.
- ⁸² Ibid., para. 19 (a).
- ⁸³ Ibid., para. 17 (a).
- ⁸⁴ CRC/C/VUT/CO/2-4, para. 24 (e).
- ⁸⁵ CEDAW/C/VUT/CO/4-5, paras. 20–21. See also CEDAW/C/VUT/CO/4-5/Add.1, paras. 2–31.
- ⁸⁶ CEDAW/C/VUT/CO/4-5/Add.1, para. 17.
- ⁸⁷ Ibid., para. 28.
- ⁸⁸ CEDAW/C/VUT/CO/4-5, paras. 38 and 39 (c)–(d).
- ⁸⁹ Ibid., paras. 4 (b) and 32–33.
- ⁹⁰ For relevant recommendations, see A/HRC/26/9, paras. 99.54–99.55, 99.68–99.69 and 99.72–99.73.
- ⁹¹ CRC/C/VUT/CO/2-4, paras. 23 and 24 (a)–(b) and (d). See also CRC/C/OPSC/VUT/CO/1, para. 20 (b).
- ⁹² UNICEF, *UNICEF Annual Report 2017: Pacific Island Multi-country Programme*, p. 51.
- ⁹³ CRC/C/VUT/CO/2-4, para. 25.
- ⁹⁴ Ibid., paras. 26 (a) and 27.
- ⁹⁵ CRC/C/OPSC/VUT/CO/1, paras. 21–22.
- ⁹⁶ Ibid., para. 26.
- ⁹⁷ Ibid., para. 24 (c).
- ⁹⁸ Ibid., para. 28.
- ⁹⁹ Ibid., paras. 19 (c) and 20 (c).
- ¹⁰⁰ CRC/C/VUT/CO/2-4, paras. 48 and 49 (a)–(b) and (e).
- ¹⁰¹ CRC/C/OPSC/VUT/CO/1, para. 20 (d)–(e). See also para. 34 (a).
- ¹⁰² Ibid., para. 36.
- ¹⁰³ CRC/C/VUT/CO/2-4, paras. 30 and 31 (a)–(b) and (d)–(e).
- ¹⁰⁴ Ibid., paras. 32 (b) and 33 (a)–(c) and (e).
- ¹⁰⁵ For relevant recommendations, see A/HRC/26/9, paras. 99.67 and 99.99–99.104.
- ¹⁰⁶ CRPD/C/VUT/Q/1, para. 1 (a).
- ¹⁰⁷ Ibid., para. 35 (a).
- ¹⁰⁸ CRC/C/VUT/CO/2-4, para. 34.

¹⁰⁹ CRPD/C/VUT/Q/1, para. 1 (b).

¹¹⁰ CEDAW/C/VUT/CO/4-5, paras. 34 and 35 (b).

¹¹¹ CRPD/C/VUT/Q/1, para. 4.

¹¹² *Ibid.*, para. 26.

¹¹³ CRC/C/VUT/CO/2-4, paras. 34 (b)–(d) and 35 (a)–(b).

¹¹⁴ UNICEF, *UNICEF Annual Report 2017: Pacific Island Multi-country Programme*, pp. 5 and 12.

¹¹⁵ CRPD/C/VUT/Q/1, para. 25 (a).

¹¹⁶ CRPD/C/VUT/Q/1, para. 7.

¹¹⁷ *Ibid.*, para. 10 (b).

¹¹⁸ CRC/C/OPAC/VUT/CO/1, para. 17 (a) and (c).

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Summary of Stakeholders' submissions on Vanuatu***Report of the Office of the United Nations High Commissioner for Human Rights****I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 6 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders**A. Scope of international obligations² and cooperation with international human rights mechanisms and bodies³**

2. Center for Global Nonkilling (CGNK) strongly encouraged Vanuatu to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.⁴ CGNK also urged Vanuatu to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Prevention and Punishment of the Crime of Genocide.⁵

3. International Campaign to Abolish Nuclear Weapons (ICAN) appreciated that Vanuatu signed the UN Treaty on the Prohibition of Nuclear Weapons on 20 September 2017⁶ and recommended that Vanuatu ratify this Treaty as a matter of international urgency.⁷

B. National human rights framework*

4. Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that there was no provision for corporal punishment in the Penal Code 1981, the Criminal Procedure Code (amended 2003) or the Island Courts Act 1983 (amended 2006), and that the Constitution 1980 (amended 2004) recognized the right to freedom from inhuman

* The present document was not edited before being sent to United Nations translation services.



treatment (art. 5). However, the Larceny Act 1916, which provides for "private whipping", was possibly still in force.⁹

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination¹⁰

5. Kaleidoscope Human Rights Foundation (KAHRF) stated that despite general human rights protections under the Constitution of Vanuatu, discrimination based on people's sexual orientation, on gender identity and on sex characteristics were not protected. Hence, KAHRF encouraged Vanuatu to amend article 5 of the Constitution by adding sexual orientation, gender identity and sex characteristics as prohibited grounds for discrimination. It also urged Vanuatu to enact anti-discrimination legislation that prohibits all forms of discrimination on the grounds of sexual orientation, gender identity and sex characteristics in all areas of public life, including employment, education, health care, housing and the provision of goods and services.¹¹

6. KAHRF also stated that despite some historical recognition and acceptance of lesbian, gay, bi-sexual, transsexual and inter-sex (LGBTI) persons, Vanuatu faced significant cultural and social hurdles in eradicating discrimination and stigma against them.¹² It urged Vanuatu to include LGBTI people in the National Gender Equality Policy, proactively address discrimination against LGBTI people in all areas of public life and allow for a better understanding of patterns of discrimination against LGBTI people.¹³

7. According to KAHRF, Vanuatu should enact legislation that allows transgender people to change their gender markers on official documents, on the basis of self-determination and without any requirement of "sex reassignment surgery".¹⁴

Development, the environment, and business and human rights¹⁵

8. Joint Submission 1 (JS1) recommended that Vanuatu effectively implement the Climate Change and Disaster Risk Reduction Policy 2016 – 2030 to guarantee the protection and enjoyment of their human rights in times of climate change related disasters.¹⁶ It also noted that the Committee Disaster and Climate Change Committee (CDCCC) had been set up in every province to help communities affected by disasters.¹⁷ It recommended that Vanuatu provide technical and financial support for the CDCCC to ensure its role in providing services to the community affected by climate change related disasters.¹⁸

9. JS1 recommended that the Government of Vanuatu ensure the provision of clean drinking water, sanitation for all, and availability of adequate food, especially in times of climate change related disasters. It noted that regarding the right to safe drinking water, water systems were damaged by Cyclone Pam throughout the regions and many drinking water supplies were contaminated. It also added that water shortage was also a problem during droughts, such as the one the archipelago experienced towards the end of 2015, as a result of the El Niño conditions in the Pacific.¹⁹

10. JS1 also recommended that Vanuatu provide sufficient care and health centre infrastructures in each province to shelter the population during the times of climate change related disasters. It stated that after Cyclone Pam, the damages to roads and infrastructure, such as public health centres and schools, affected Vanuatu's population severely. It added that those affected by the cyclone continued to face life-threatening risks from a lack of food and safe water, growing disease outbreaks and a health system struggling to get back to provide services for the population.²⁰

11. According to JS1, Vanuatu should take measures for alternative livelihood for the population, especially for those who are prone to climate change related disasters. It emphasized that the traditional cultural activities, such as seasonal cropping, cannot be carried out in the same way as they were in the past. It referred to the fact that the increase

of sea temperature affected people's traditional fishing method and their traditional burial, and destroyed Pandanus trees.²¹

2. Economic, social and cultural rights

*Right to education*²²

12. The Vanuatu Mama's English Class (VMEC) noted that low adult literacy was a major problem that negatively impacts on Vanuatu's ability to promote and sustain equitable growth.²³

3. Rights of specific persons or groups

*Women*²⁴

13. VMEC noted that the National Gender Equality Policy 2015-2019 had yet to be translated into *Bislama*. This Government policy document was not translated into all three official languages. It also noted that other documents regarding national and international human rights policies, treaties, and agreements had not yet been translated.²⁵

*Children*²⁶

14. GIEACPC noted that corporal punishment of children was still lawful in Vanuatu, despite repeated recommendations to prohibit it by the Committee on the Rights of the Child. More specifically, it noted that in Vanuatu corporal punishment was prohibited in schools and in penal institutions. Nevertheless, it stated that corporal punishment was still lawful in the home, and in alternative and day care settings. Therefore, it urged Vanuatu to enact legislation to explicitly prohibit corporal punishment of children in all settings, including in the home and as a sentence for a crime, and repeal all legal defences for its use.²⁷

*Persons with disabilities*²⁸

15. JSI stated that Vanuatu accepted four recommendations related to people with disabilities in the previous cycle of the UPR in 2014 and committed to increasing efforts and pursue activities aimed at ensuring respect for people with disabilities.²⁹ It noted that Vanuatu set up the Inclusive Education Policy & Strategic Plan 2010-2020 to provide and improve education for school-age children with disabilities in primary schools. However, according to JSI, the greatest challenge is the infrastructure to accommodate those people with disabilities in sectors such as work and leisure time.³⁰

16. JSI appreciated that the Vanuatu Government set up a Disability Desk in 2011 under the Ministry of Justice and Community Service. It emphasized that one of the achievements was the coordination of the National Disability Policy & Plan of Action 2008-2015, but the policy was reviewed to 2018-2025 and had not yet been launched.³¹

17. JSI also highlighted that many children living with disabilities did not progress academically or dropped out from schools prematurely because teachers in mainstream classes were not well-trained, well-supported or provided with appropriate resources.³²

18. With respect to inclusive education for children living with disabilities, JSI noted the lack of the inclusive education system in Vanuatu. According to JSI, having an inclusive education system will help the Government and the Ministry of Education to identify material and human resources, which will in turn help deliver education recognizing the situation and rights of those who are, or have been, excluded from learning and participating. JSI further noted that there were already two inclusive schools in Vanuatu that help children with disabilities but no special schools.³³ JSI recommended that the Ministry of Education and the Government continue to find relevant and appropriate ways to come up with more inclusive schools for children with disabilities.³⁴ JSI also expressed concerns that some children living with disabilities tried to attend the mainstream schools but the majority could not cope and withdrew.³⁵

19. JSI noted that the Vanuatu Society for Disabled People initiated a programme called "Early Intervention Program", whose objective was to provide effective early intervention services to support and prepare children living with disabilities to access education.¹⁶

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

CGNK	Center for Global Nonkilling, Honolulu, (Hawaii, United States of America);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
KAHRF	Kaleidoscope Human Rights Foundation, Clayton (Australia);
VMEC	Vanuatu Mamas' English Class, Efate Island (Vanuatu).

Joint submissions:

JSI	Joint submission 1 submitted by: Marist International Solidarity Foundation (FMSI), Geneva (Switzerland); Franciscans International (FI), Geneva (Switzerland).
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² The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ For relevant recommendations, see A/HRC/26/9, paras. 99.1-99.14, 99.29-99.31, 99.70 - 99.71, and 99.106.

⁴ CGNK, page 5.

⁵ CGNK, page 5.

⁶ ICAN, page 1.

⁷ ICAN, page 1.

⁸ For relevant recommendations, see A/HRC/26/9, paras. 99.15 - 99.28, 99.32, 99.109.

⁹ GIEACPC, para. 2.9.

¹⁰ For relevant recommendations, see A/HRC/26/9, paras. 99.35 - 99.36, 99.38 - 99.44.

¹¹ KAHRF, para. 1.2.

¹² KAHRF, para. 3.1.

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- ¹³ KAHRF, para. 3.4.
¹⁴ KAHRF, para. 3.6.
¹⁵ For relevant recommendations, see A/HRC/26/9, paras. 99.105, and 99.107 – 99.108.
¹⁶ JS1, para. 17.
¹⁷ JS1, para. 18.
¹⁸ JS1, para. 34.
¹⁹ JS1, para. 29.
²⁰ JS1, para. 32.
²¹ JS1, para. 30.
²² For relevant recommendations, see A/HRC/26/9, paras. 99.85 – 99.96.
²³ VMEC, para. 1.
²⁴ For relevant recommendations, see A/HRC/26/9, paras. 99.33 – 99.34, 99.45 – 99.53, and 99.97 – 99.98.
²⁵ VMEC, para. 18.
²⁶ For relevant recommendations, see A/HRC/26/9, paras. 99.54 – 99.55, 99.68, 99.69, and 99.72 – 99.73.
²⁷ GIEACPC, paras. 1.2 and 1.3.
²⁸ For relevant recommendations, see A/HRC/26/9, paras. 99.67, 99.99, and 99.100 – 99.104.
²⁹ JS1, para. 3.
³⁰ JS1, para. 5.
³¹ JS1, para. 4.
³² JS1, para. 8.
³³ JS1, para. 11.
³⁴ JS1, para. 6.
³⁵ JS1, para. 6.
³⁶ JS1, para. 8.
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